IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

Bail Appl..No. 7457 of 2006()

CMP.8054/2006 of J.M.F.C., PARAVOOR
CRIME NO.138/06 OF PARIPPALLY POLICE STATION.

.....

PETITIONER/ACCUSED:

MAHEEN, S/O.MANI,
MAHEEN VILASOM, PARA JUNCTION,
CHIRAKKARA IDAVATTOM CHERRI,
KALLUVATHUKKAL VILLAGE.

BY ADV. SRI.P.A.NOOR MUHAMMED
SRI.C.K.PRASAD

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
PARIPPALLY POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7457 OF 2006

DATED THIS THE 18TH DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the 4th accused in Crime No.138/06 of Parippally Police Station for offences punishable under sections 143, 147, 452, 341, 323, 324, 294(b), 427 and 395 read with section 149 IPC and section 27 of the Arms Act, 1959, seeks his enlargement on bail. The occurrence took place in the night of 3.12.2006.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that accused 1 to 20 along with 24 unidentified persons had formed themselves into an unlawful assembly armed with deadly weapons like sword, cudgel, stones, etc. and had made their forcible entry into the house of the de facto complainant at 10 PM on 12.4.2006 and had caused mischief by taking away gold, cash and other articles. This is a case where dacoity was committed on the sheer source of strength. The investigation of the case is still in the preliminary stage. If at this stage of the investigation, the

petitioner is released on bail, he will definitely influence and intimidate the prosecution witness and that may affect the smooth investigation of the case. So, I am not inclined to grant bail to the petitioner.

This petition is accordingly dismissed.

V.RAMKUMAR, JUDGE

dsn